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HEAL
PLANNING & DEVELOPMENTS

APPEAL STATEMENT

SITE: Flat 1, 226 Camden Road, London, NW1 9HG

APPEAL AGAINST REFUSAL OF: Erection of single storey front extension at lower ground floor

LOCAL AUTHORITY: London Borough of Camden

PLANNING APPLICATION NUMBER: 2023/4078/P

APPELLANT: Manoj Kanuga

1. Introduction

This appeal is against the refusal of planning permission for the development of a single storey front lower ground floor extension at Flat 1, 226 Camden Road, London, NW1 9HG.

The surrounding area is characterised as predominantly residential, with the properties neighbouring 226 Camden Road being four-storey semi-detached dwellings. As will be illustrated in this Appeal Statement, the property is on a corner plot and takes a distinctly difference appearance to its neighbours on the street scene. The lower ground floor site itself is not visible, as it is shrouded from view by a solid wall boundary treatment.

The subject building is not listed, however it is in the Camden Square Conservation Area (CA) and therefore the visual impact of the proposal on the views of and within the CA must be taken into consideration. Were the building listed, it is understood that the extension's

lack of visibility would not be a consideration. It is further understood that, unlike listed buildings, the significance of a CA is dependent upon how it is experienced, and that case law¹ has established that proposals must be judged according to their effect on a CA as a whole. This distinction is important as the subject site at Flat 1, 226 Camden Road is on the lower-ground floor of the four-storey property and is surrounded and concealed by a solid brick wall - as shown on the street scene and plan extract images below.

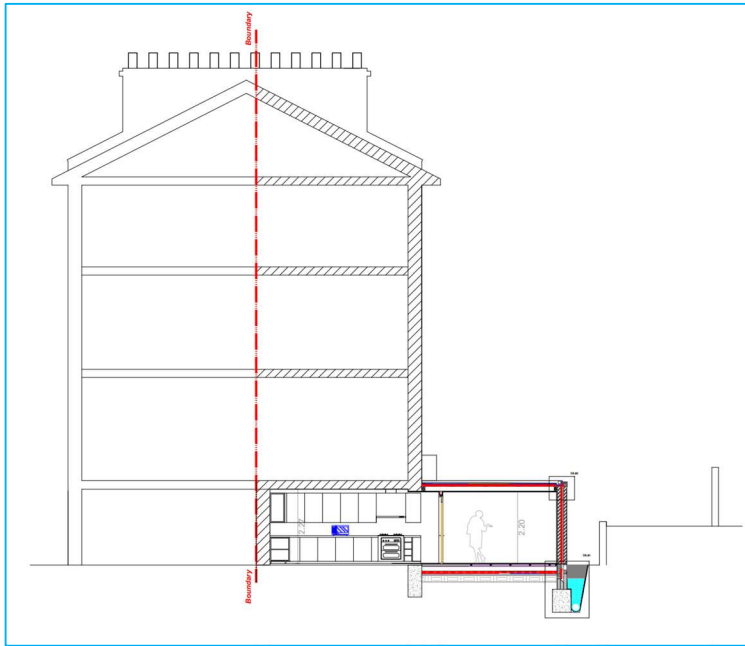


View of 226 Camden Road facing north-east on Camden Road



View of 226 Camden Road facing south-west on Camden Road

¹ South Oxfordshire DC v SSE & J Donaldson [1991] CO/1440/89



Plan extract showing the proposed section A



Plan extract showing the proposed north elevation

It is therefore understood that proposals must be judged according to their effect on a CA as a whole and it is accordingly considered that the subject development has no impact at all on the character of the CA. The design of the proposed extension is wholly subordinate to the host dwelling and will be largely invisible from the street scene.

The appellant has decided to remove the trees to the front of the property, due to subsidence being caused by the trees. The appellant has applied to the LPA to remove the trees and is awaiting a response.

2. Refusal Reason

The decision notice dated 23 January 2024 contained the following reasons for refusal (commentary provided underneath):

- 1. The proposed front extension, by virtue of its scale and siting, would result in an incongruous and dominant addition that would be out of keeping with the host and neighbouring properties, and would thus fail to preserve the character and appearance of the Camden Square Conservation Area, contrary to Policies D1 (Design) and D2 (Heritage) of London Borough of Camden Local Plan 2017 and policies D1 (Achieving Design Excellence), D4 (Extensions and Alterations) and D5 (Heritage) of the draft New Camden Local Plan 2024.*

When viewed from the street scene, it is clear that the subject property does not reflect the appearance of its neighbours on either side – and the neighbouring property to the north-east on Camden Road is even less in-keeping than the appellant’s property. The ground and lower ground floor treatments of the subject property do not match its neighbours and neither does the boundary treatment. Whereas neighbouring properties to the south-west have open gardens to the front, which accords with the characterisation of the CA, the subject property neither has a garden, nor is it open – but rather the boundary is solidly walled and without a garden.

It is therefore clear that the proposed development will have no impact at all in terms of disturbing an existing relationship between two neighbouring dwellings of the same appearance and composition, as this relationship simply does not currently exist. But rather, development of the proposed extension can be allowed without having any impact at all on the street scene or the character of the area.

The proposed site being the CA is clearly a key factor. However, while the CA may be considered a heritage asset and the impact must be considered, the host dwelling is not listed and therefore – unlike development on listed buildings - the proposed extension *not* being visible or apparent is a material consideration. In this respect, it simply cannot be the case that the proposed extension has a detrimental impact on the character of the CA, when it is largely invisible from the street scene.

The proposed lower ground floor extension in no way dominates its four-storey host and while neighbouring properties may not feature such extensions – as previously stated – the existing ground/lower ground floor land and boundary treatment at No. 226 Camden Road do not reflect that of its neighbours.

Overall, the proposed extension is of a good design that accords with the host dwelling and preserves the character and appearance of the CA in accordance with local policy D2.

National and local planning policy will be addressed in sections 5 and 6 of this Appeal Statement respectively.

2. *In the absence of an adequate arboricultural impact assessment and tree protection plan, the applicant has failed to demonstrate the development does not cause unacceptable harm to trees contrary to Policies A2 (Open Spaces) and A3 (Biodiversity) of the London Borough of Camden Local Plan 2017 and policies NE1 (The Natural Environment), NE2 (Biodiversity) and NE3 (Tree Planting and Protection) of the draft New Camden Local Plan 2024.*

A professionally produced arboricultural assessment is submitted in Appendix 1 of this Appeal Statement. The appellant has decided to remove the trees to the front of the

property, due to subsidence being caused by the trees. The appellant has applied to the LPA to remove the trees and is awaiting a response.

3. Planning Officer Report

To assist in the consideration of the appeal, some paragraphs from the planning officer's report are included below, with commentary provided in **bold** underneath:

1. Proposal

1.1 Planning permission is sought for the erection of a single storied front extension fronting Camden Road at lower ground floor level. The extension would have a maximum height of 2.58m, depth of 4.4m and width of 9m.

1.2 It is noted that the applicant has applied for a rear extension as opposed to a front extension. The proposal is considered a front extension as it is on the Camden Road frontage of the property, with Camden Road being a major trunk road. This elevation is considered to be the front and principal elevation of the building, notwithstanding the current access to the property which is on the side elevation.

2. Considerations

2.1 Key planning issues to be considered are as follows:

- *Design and Heritage*
- *Neighbouring Amenity*
- *Trees*

2.2 The Draft New Camden Local Plan 2024 is currently out for consultation under regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012.

3. Design and Heritage

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

The proposed extension does preserve the character and appearance of the CA in accordance with Policy D2.

3.2 The CPG Home Improvements states the following with respect to front extensions:

Front extensions are usually highly visible alterations that can change the character of a building and the street. They can have a particular impact where front gardens are an important characteristic of the area, and where the street has a regular pattern of buildings and a clearly defined building line.

3.3 The Camden Square Conservation Area Appraisal and Management Strategy states the following:

- The private front gardens add colour and biodiversity to the residential street scene. The loss of any of these gardens through parking, ancillary structures, hard-standing or neglect severely erodes the character of the streets.*
- Front and rear gardens within residential streets make an important contribution to the streetscape and character of the residential area. Council will resist the loss of soft landscaping.*
- Green front gardens are vital not only in preserving the attractive, tranquil qualities of the conservation area, but also in providing wildlife corridors, enhancing biodiversity and reducing flood risk.*

- *The CSCAAMS also states that demand for residential development has led to an increase in proposals for infill buildings and extensions. The capacity for further intensification without causing harm to the area is limited.*

The subject front extension is not a highly visible alteration and therefore preserves the character and appearance of the street scene and the CA. Moreover, none of the above apply to the subject property – while the front gardens of the neighbouring properties to the south-west along the row, do have visible gardens, No. 226 Camden Road does not – as shown in the images below.



While the garden of No. 224 Camden Road contributes to the CA, the garden at No. 226 does not



Gardens to the front of the neighbouring row

3.4 The proposal involves an extension to the front of the property facing Camden Road, within the enclosed private front garden area. No other properties along this section on Camden Road has had an extension to their front elevation and there is a very clear and well established building line here.

While the delegated report remarks that no other properties along this section on Camden Road has an extension to the front, it is noted that neither does any other property along this section of Camden Road have an ‘enclosed private front garden area’.

The proposal would therefore break the pattern of development to the front of the row of 19th century houses facing Camden Road, infringing the established building line, obscuring architectural features such as windows and impacting on private open space in front of the houses. The proposal would be out of character and add a new element on this property at the front, extending beyond what appears to be the consistent building line, resulting in the building line being out of character with the rest of the street scene. This concern was previously raised by the Council at pre-application stage.

3.5 The fact that the property is at the end of the row, occupying a corner plot at the junction with Canteloves Road does not mean there is a case to be made for extending at the front. It is appreciated that its current orientation makes it unique in the street, and it may have limited visibility from the street due to the greenery, but during different seasons when the tree leaves have fallen and the front elevation of the property would be more visible, the extension would be seen from the street scene, including from long and short views across Camden Road. Further, the enclosed garden could change in the future if residents sought a more open outlook at the front as is the norm along Camden Road.

The changing of the seasons will not impact the presence of a solid wall surrounding the proposed extension and shrouding it from the street scene.

3.6 With respect to the scale of the extension it is noted that any extension to this frontage would not be acceptable. However, it is considered that the extension would fail to be subordinate to the host building given its excessive width which means that it would project beyond the principal building line of the side (north) elevation.

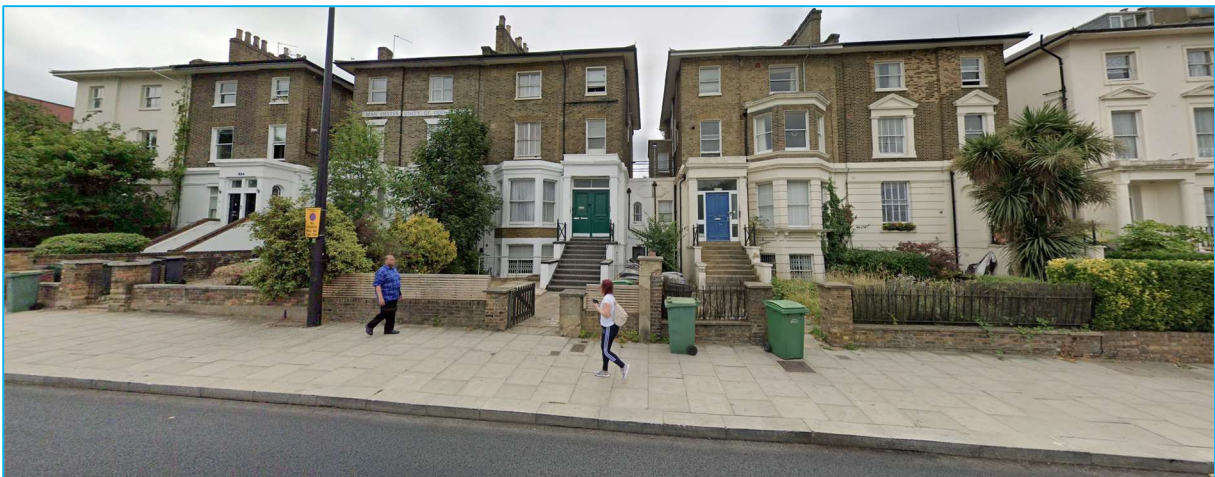
Contrary to the above, the proposed single storey lower ground floor extension is clearly subordinate to its four-storey host.

3.7 With respect to materials, limited details have been provided, however it is understood that the walls and windows would match that of the existing dwelling. It is also noted that the extension does not incorporate a green roof, which is encouraged through the CPG – Home Improvements.

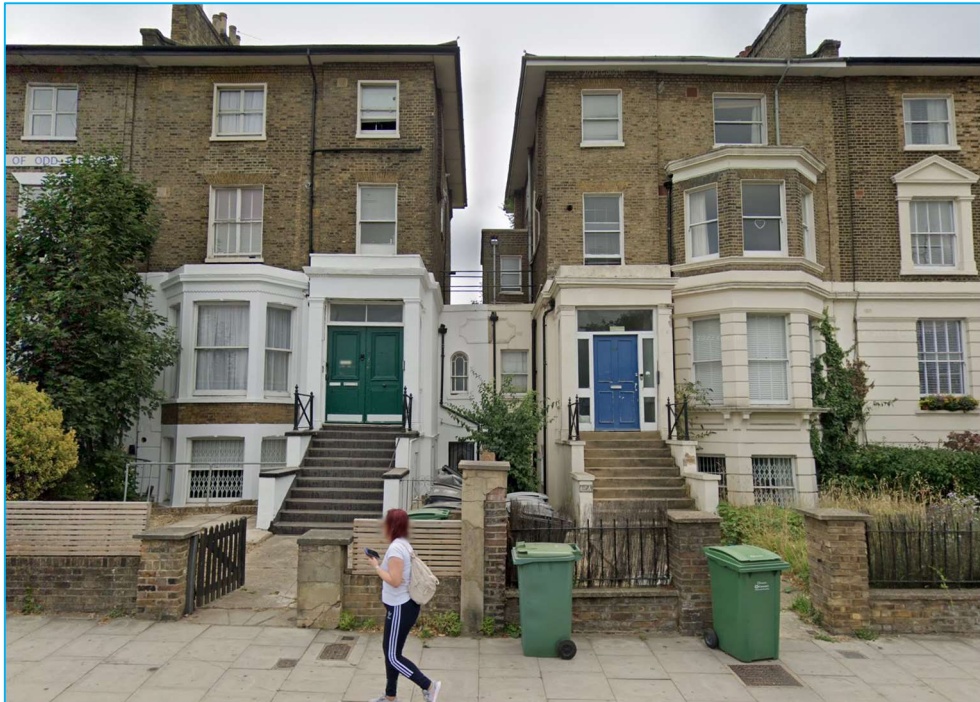
3.8 The proposed extension due to its location at the front of the property, would harm the existing character of the host building and the relationship of the semi-detached pair and would be harmful to the surrounding conservation area. The proposal would fail to preserve the character and appearance of the Camden Square Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017.

3.9 Considerable importance and weight have been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposed front extension *does* preserve the character of the CA and does not impact any of the above-cites characteristics from the Camden Square Conservation Area Appraisal and Management Strategy. Moreover, the front of the property is not the same as the rest of the row – indeed it is distinctly different. The subject property is on a corner plot with a solid wall to the front and side, as well as an entrance to the side. The neighbouring properties on this row have raised entrances to their fronts with steps leading down to the pathway on Camden Road. The images below are provided to show the contrasting relationship between the subject property and its neighbours.



While neighbouring properties are comparable to the front, No. 226 is distinct and different



Neighbouring properties have raised entrances to their fronts with steps leading down to the pathway on Camden Road



No. 226 has a wall to the front and its configuration does not resemble its neighbours from the street scene



It is notable that the neighbouring property to the north-east neither reflects the configuration of No. 226

The proposed development therefore respects local context and character, is of a high quality and preserves the character of the CA. The proposed development therefore accords with the local policy quoted in the delegated report and the associated refusal reason.

4. Neighbouring Amenity

4.1 Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development on their amenity is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Relevant to the application are overlooking, privacy, sunlight, daylight, overshadowing and outlook consideration.

4.2 Given its nature and location, it is not considered that the proposal would result in any unacceptable amenity related effects. The extension is single storied, with no windows proposed on the side elevation of the extension, and existing windows at 224 Camden Road are offset sufficiently from the boundary to ensure no

unacceptable amenity related effects. The existing lower ground front window at neighbouring no. 224 is already shadowed by existing dense planting at the boundary. As such, it is considered that the extension would not significantly worsen this situation to warrant a reason for refusal.

4.3 It is noted that an objection from a flat above the application flat has been received that raised concerns surrounding outlook. Due to the location of the extension at lower ground floor level, below the level of windows above, it is not considered that the proposal would result in any unacceptable effects in terms of outlook.

The proposal has no detrimental impact on neighbouring amenity.

5. Trees

5.1 Policy A3 requires trees and vegetation to be protected during the construction phase of development and seeks to resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. There are a number of existing trees and much vegetation in the garden, much of which would likely be affected by the development and part of the development is likely to be within the Root Protection Area. It is noted that an arboricultural impact assessment and tree survey have not been included with the submission.

5.2 The Council's Tree and Landscape Officer has confirmed that the scheme cannot be supported without a full arboricultural report, in accordance with BS5837:2012. As such, the Council cannot be satisfied that trees and vegetation of amenity, historic and ecological value would be sufficiently protected, contrary to policy A3 of the Local Plan and thus refusal is warranted on this basis.

A professionally produced arboricultural assessment is submitted in Appendix 1 of this Appeal Statement. The appellant has decided to remove the trees to the front of the property, due to subsidence being caused by the trees. The appellant has applied to the LPA to remove the trees and is awaiting a response.

4. Key Appeal Considerations

The key appeal considerations are as follows:

- The subject property is not listed and therefore the fact that the proposed extension is not visible remains material.
- Key to the assessment of the proposed development is its impact on the CA – that being its *visual* impact.
- The subject property is on a corner plot and does not reflect the configuration of its neighbours, either on the same row, or the adjacent property on the corner plot to the north-east.
- None of the characteristics cited in the delegated report relating to the CA apply to the subject property.
- The proposed site is shrouded from the street scene by a solid wall and the proposed lower-ground floor extension is therefore *not* a highly visible alteration.
- The proposed extension does not have a detrimental impact on how the CA is experienced.
- The proposed extension preserves the character and appearance of the CA in accordance with Policy D2.
- The single storey extension is subordinate to its four-storey host.
- A professionally produced arboricultural assessment is submitted in Appendix 1 of this Appeal Statement. The appellant has decided to remove the trees to the front of the property, due to subsidence being caused by the trees. The appellant has applied to the LPA to remove the trees and is awaiting a response.

5. National Planning Policy Framework

The inspector's attention is respectfully drawn to relevant sections of the NPPF that have either been overlooked, misinterpreted, or not given due weight and consideration within

the decision-making process. The following sections in particular are highlighted as requiring attention, with commentary provided in **bold** underneath:

Sec. 2: Achieving sustainable development

Para. 7: The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The proposed extension increases the scope of the property to meet the housing needs of both its current occupiers and future generations of occupiers - particularly the needs of larger households.

The proposal does not compromise the ability of future generations to meet their own needs – on the contrary it enhances the dwelling to meet the needs of future generations seeking housing in the area, while meeting the needs of current generations.

The proposed development therefore fully accords with the NPPF policy of achieving sustainable development and the provision of homes.

Para. 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

The development will generate taxable income for builders and suppliers required to build the extension, as well as suppliers of household materials and items required to furnish the additional accommodation.

The enlargement of the dwelling will also potentially result in an increase in the council tax payable and the development therefore contributes to public finances in this regard.

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

The proposed development contributes to there being ‘a sufficient number and range of homes’, which are ‘provided to meet the need of present and future generations’, while ‘fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being’.

As previously stated, with the extension in place, the dwelling will be better able to meet the housing needs of different households.

The proposed development therefore strongly accords with the social objective of the NPPF.

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The proposal makes effective use of the land available within the existing curtilage of the dwelling, by enlarging an existing dwelling without encroaching on land elsewhere or

detrimentally impacting the character of the area or the amenity and/or outlook of others.

Presumption in favour of sustainable development

Para. 10: So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

The proposed development entirely accords with the NPPF's sustainable development objectives as detailed above and should therefore receive a presumption in favour.

Sec. 4: Decision-making

Para. 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

As previously noted, the proposal meets the economic, social, and environmental objectives set out in the NPPF. Moreover, in the spirit of decision-makers seeking to 'approve applications for sustainable development where possible', there are far more - and far stronger - arguments in favour of the development than may be posited against it.

Sec. 11: Making effective use of land

Para. 123: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the

environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Para. 128(a): Planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.

The proposal makes 'effective use of land in meeting the need for homes', while 'safeguarding and improving the environment and ensuring safe and healthy living conditions.'

Sec. 12: Achieving well-designed and beautiful places

Para. 135(b): Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Para. 135(c): Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The proposed extension is good design, is subordinate to the host dwelling, and preserves the character of the area.

6. Local Planning Policy Context

In line with paragraph 11 of the NPPF, the most important policies for determining the appeal need to be identified. It is clear from the judgement *Wavendon Properties Ltd v SoSoHCLG & Milton Keynes Council [2019] EWHC 1424 (Admin)*, that the collection of most important policies should be considered in the round.

The most important policies should only be those governing the development proposed in a particular area. More generic policies that can apply to multiple types of development should not logically be considered as most important policies. This approach is adopted in the below assessment of the refusal policies, with commentary provided underneath.

London Borough of Camden Local Plan (2017) / Draft New Camden Local Plan (2024)

Policy D1 Design

The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Tall buildings

All of Camden is considered sensitive to the development of tall buildings. Tall buildings in Camden will be assessed against the design criteria set out above and we will also give particular attention to:

Policy D1 – Achieving Design Excellence

- A. All development in Camden must achieve excellence in the architecture and design of buildings and places to respond to the climate change emergency, improve the health and well-being of our communities and celebrate Camden's diversity of people and place.
- B. The Council will require that development:

Character and Context

- i. responds positively and sensitively to local context and character through layout, orientation, scale, height, bulk massing, proportion, appearance and the use of high quality, durable and sustainable materials;
- ii. seeks to create character where none exists;
- iii. preserves or enhances the historic environment and heritage assets in accordance with Policy D5 Heritage;
- iv. responds to local views and preserves protected views;

Built Form

- v. is sustainable in design and construction, incorporating best practice in resource efficiency, energy reduction and climate resilience measures, in accordance with Policies CC1 – CC12 in the Climate Change chapter;

- p. how the building relates to its surroundings, both in terms of how the base of the building fits in with the streetscape and how the top of a tall building affects the skyline;
- q. the historic context of the building's surroundings;
- r. the relationship between the building and hills and views;
- s. the degree to which the building overshadows public spaces, especially open spaces and watercourses; and
- t. the contribution a building makes to pedestrian permeability and improved public accessibility.

In addition to these design considerations tall buildings will be assessed against a range of other relevant policies concerning amenity, mixed use and sustainability.

Public art

The Council will only permit development for artworks, statues or memorials where they protect and enhance the local character and historic environment and contribute to a harmonious and balanced landscape design.

Excellence in design

The Council expects excellence in architecture and design. We will seek to ensure that the significant growth planned for under Policy G1 Delivery and location of growth will be provided through high quality contextual design.

- vi. is functional, and designed to take into account the proposed use and needs of the expected occupants of the building, and other users of the space;
- vii. is designed to be flexible and adaptable to meet the needs of future users and occupiers;
- viii. meets the highest practicable standards of accessible and inclusive design so it can be used safely, easily and with dignity by all;
- ix. promotes health and well-being in accordance with Policy SC1;
- x. is safe and secure, and designed to minimise crime and antisocial behaviour in accordance with Policy A2 Safety and Security;
- xi. contributes positively to achieving an active street frontage and supports opportunities for natural surveillance in accordance with Policy A2 Safety and Security;
- xii. carefully integrates building services equipment, minimising visual clutter and ensuring there is no harm to the wider townscape and the amenity of neighbouring occupiers;
- xiii. incorporates adequate servicing for each land use within the footprint of the building/s and site, where required;
- xiv. provides appropriate facilities for the storage, separation and collection of all types of waste and recycling;
- xv. responds to natural features and incorporates outdoor amenity space;
- xvi. provides visual interest from all aspects and incorporates public art where appropriate;

Movement

- xvii. connects well with existing places, spaces and routes, and allows effective movement between the site and the surrounding area;
- xviii. is easy to navigate and move through, with recognisable routes and signage;
- xix. creates high quality, healthy streets that support and encourage walking, wheeling and cycling in accordance with Policy T2 Prioritising walking, wheeling, and cycling;

Public Spaces

- C. Where public spaces are provided as part of developments the Council will require that these spaces:
 - i. celebrate and reflect the diversity of the communities they are within through high quality interpretation, events, public art and decorative features co-designed with local people;
 - ii. are well located; of a high quality; and are designed to be safe, secure, welcoming, uncluttered and accessible for all;
 - iii. incorporate outdoor seating, sheltered rest places, quiet spaces, street furniture, boundary treatments, lighting and signage, that is well designed and sensitively located, to make a positive contribution to the character and distinctiveness of the area;
 - iv. provide free, publicly accessible toilets suitable for a range of users, where appropriate;
 - v. provide opportunities for formal and informal play; and
 - vi. incorporate high quality landscape design and maximise opportunities for greening for example through the planting of trees, provision of open space, soft landscaping, and areas for food growing, to enhance biodiversity, promote health and well-being, manage flood risk and provide opportunities for shade.
- D. Applicants must evidence how they have responded positively to the design policies in the Local Plan, and associated guidance, as part of the Design and Access Statement submitted with their planning application.
- E. The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed extension is of an attractive design that accords with the host dwelling and the context and character of the area. While it is noted that the neighbouring properties to the south-west have open garden areas to the front, 226 Camden Road does not, and has an appearance of 'otherness' compared to its neighbour – including the colouring of the property and solid wall boundary treatment.

It is reiterated here that the extension itself will be barely apparent or visible from the street scene and the proposed development is therefore sensitive to its context and has a net neutral impact on the character of the conservation area.

Policy D2 Heritage

The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation areas

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

Listed Buildings

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.

Archaeology

The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets and non-designated heritage assets

The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.

The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

Policy D5 – Heritage

- A. The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated Heritage Assets

- B. Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of, or substantial harm to, a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm, or loss, is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - i. the nature of the heritage asset prevents all reasonable viable uses of the site;
 - ii. no optimum viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
 - iii. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - iv. the harm or loss is outweighed by the benefit of bringing the site back into use.
- C. The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.
- D. The Council will resist any cumulative, incremental, changes to a designated heritage asset, where there is concern that the changes may impact on the significance of the designated heritage asset or may cause harm to the character or appearance of the conservation area.

Sustainability Improvements to Designated Heritage Assets

- E. The Council will support proposals to adapt and improve listed buildings, and buildings within conservation areas, to reduce energy demand, mitigate the impacts of climate change and ensure they are adaptable to a changing climate provided they do not cause significant harm to the special historic or architectural interest of the heritage asset. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Council will weigh that harm against the public benefits of the proposal, giving significant weight to measures that respond to the climate emergency in a sensitive manner.

Conservation Areas

- F. Conservation areas are designated heritage assets, and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

- G. The Council will:
 - i. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
 - ii. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
 - iii. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
 - iv. preserve trees and garden spaces which contribute to the character and appearance of a conservation area, or which provide a setting for Camden's architectural heritage.

Listed Buildings

- H. Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:
 - i. resist the total or substantial demolition of a listed building;
 - ii. resist proposals for a change of use or alterations and extensions, including cumulative or incremental changes to a listed building where this would cause harm to the special architectural and historic interest of the building;
 - iii. resist development that would cause harm to the significance of a listed building through an effect on its setting; and
 - iv. require any works to a listed building to be carried out in an appropriate manner informed by relevant specialists.

Archaeology

- I. The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Other Heritage Assets and Non-designated Heritage Assets

- J. The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.
- K. The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

The proposed development preserves the appearance of the Conservation Area, as a heritage asset, however the building is not listed. The proposed development does not require and demolition of an unlisted building and does not replace a garden that may contribute positive to the Conservation Area. If anything, the proposed development may be considered to have a net neutral impact on both the street scene and the conservation area.

The Inspector's attention is drawn to Policy D2 limbs e-h, and Policy D5(G) limbs 1-4 above, where it is noted that the proposed development either accords with, or else does not conflict with these requirements. The proposal therefore accords with both policies D2 and D5 overall.

Policy D4 – Extensions and Alterations	
A.	The Council will support applications for extensions and alterations to houses and flats where: <ul style="list-style-type: none">i. The proposed extension is subordinate to the building being extended or altered, in relation to its location, form, footprint, scale, proportions, dimensions and detailing;ii. The proposed extension is designed and constructed to respect and complement the main building and wider townscape, using materials and detailing that are appropriate to the host building in accordance with Policy D1 (Design Excellence); andiii. The proposed extension is designed to respect the residential amenity of adjacent properties in accordance with Policy A1 (Amenity).
B.	Roof extensions will be supported in principle where they do not adversely impact on designated heritage assets in accordance with Policy D5 (Heritage). Where a roof extension is proposed, this should be consistent with the prevailing height and form of neighbouring properties and the overall street scene; and designed to maintain safe access and egress for occupiers.
C.	Mansard roof extensions should be designed to harmonise with the original building.
D.	Proposals for extensions and alterations to houses and flats will be required to deliver energy efficiency improvements in accordance with Policy CC3 (Reducing energy in existing buildings).
E.	Proposals for extensions and alterations to houses and flats will be required to deliver biodiversity enhancements in line with Policy NE2 (Biodiversity).

The proposed extension is clearly subordinate to its four-storey host and its design accords with that of the host dwelling, while having no impact at all on neighbouring amenity.

7. Conclusions

The proposed front extension is not highly visible and protects the character of the Camden Square CA. The single storey extension is subordinate to its four-storey host and is shrouded from the street scene by the solid wall surrounding the corner site.

The subject site and surrounding border treatment does not reflect that of its neighbours on either side and does not reflect the valued characteristics of the CA outlined in the *Camden Square Conservation Area Appraisal and Management Strategy*. The proposal therefore will not disrupt any existing relationship between neighbouring properties, nor will it impact those characteristics deemed worthy of retention in the CA. A professionally produced

arboricultural assessment is submitted in Appendix 1 of this Appeal Statement. The appellant has decided to remove the trees to the front of the property, due to subsidence being caused by the trees. The appellant has applied to the LPA to remove the trees and is awaiting a response.

The proposed extension does not have a detrimental impact on how the CA is experienced and preserves the character and appearance of the CA in accordance with Policy D2, and it is therefore considered that the appellant's proposal should be allowed.

8. Recommendation

The Inspector is respectfully requested to allow the subject proposal for the reasons propounded in this appeal statement.

Appendices

Appendix 1 – Arboricultural Impact Assessment

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June 2024